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- Paul H. Silverman (PS 0583)  
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JUN 10 2008

SIS  
S.D.N.Y.

*Attorneys for Defendant Kennedy Information, Inc.  
And Defendant The Bureau of National Affairs, Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALEXANDRA ALLEN, as  
Administrator of the Estate of William Allen,

Plaintiff,

-against-

KENNEDY INFORMATION, INC. and  
THE BUREAU OF NATIONAL AFFAIRS, INC.

Defendants.

07 CIV 8431 (HB)(DFE)

**SO-ORDERED STIPULATION  
AND AMENDED PRETRAIL  
SCHEDULING ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for plaintiff ALEXANDRA ALLEN, as Administrator of the Estate of William Allen ("Plaintiff") and counsel for defendant KENNEDY INFORMATION, INC. ("Kennedy") and THE BUREAU OF NATIONAL AFFAIRS, INC. ("BNA"), that (1) the parties will attend an all day mediation on June 16, 2008 (2) the parties consent to the below Order, which amends the prior Order only by extending the time bar for pre-trial discovery and motions for a 15 day time period, as follows:

**AMENDED PRETRIAL SCHEDULING ORDER**

HAROLD BAER, JR., District Judge:

Do the parties consent to proceed before a United States Magistrate for all purposes,

rarely grants extensions, any delays or disputes in the taking of discovery should be reported to the Court immediately.

If applicable, decisions with respect to disclosure and discovery of electronically stored information, along with privilege issues related to that information, shall be provide to the Court within 10 days of this Order.

5. **Motions:** No party may make a dispositive motion returnable after **SEPTEMBER 15, 2008**. Either party may request (and will be given a date by Chambers) for oral argument. The above date is the date by which any motions hall be fully briefed (i.e., moving, opposition and reply papers) and a courtesy copy delivered to Chambers.

In deciding the last date to submit fully briefed motions and your agreed to trial month, keep in mind that the Court requires at least 60 days to decide dispositive motions.

6. **Joint Pretrial Order:** A joint pretrial order shall, unless waived by the Court, be submitted by **DECEMBER 1, 2008**. The pretrial order shall conform to the Court's Individual Practice and Rules. Counsel may inquire of Chambers with respect to the filing date(s) for requests to charge, proposed *voir dire*, and motions *in limine*, but in no event are they to be submitted less than five (5) business days (fully briefed) before the date set for trial.

7. The law clerk assigned to this case is Nina Rey, to whom all correspondence should be directed.

8. Upon request to Chambers by either side, the Court will schedule and conduct a settlement conference and/or mediation. The Court will also, upon request, facilitate mediation under the Court mediation program or a settlement conference before your Magistrate Judge. In the case of a mediation to be conducted by the court, all parties must bring their respective clients to the mediation. Keep in mind, closure, for the most part, is accomplished in direct

proportion to how early in the litigation the mediation occurs. Any ADR procedure must occur within the framework of this Order.


9. Whenever a case is resolved, the parties must submit an order of Discontinuance, signed by all parties before the case will be removed from the trial calendar. When the parties settle within forty-eight hours of trial or the filing of a dispositive motion, they must notify the Court immediately of such settlement, and fax to the Court no less than thirty-six hours prior to their planned appearance, an order of Discontinuance (copy attached), signed by all parties.

10. The parties' signatures below represent their understanding and agreement that this schedule is final and binding upon them unless the court concludes that extraordinary circumstances warrant an extension with respect to one or more than one of the scheduled dates.

The Stipulation may be executed in counterparts and by facsimile signature.

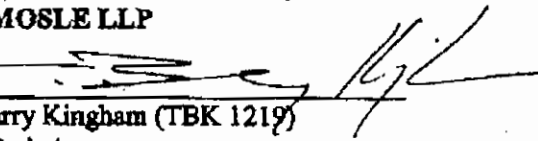
Dated: New York, New York  
May 30, 2008

**McLAUGHLIN & STERN, LLP**

By:   
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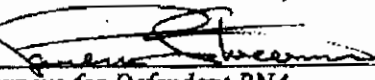
*Attorneys for Defendant Kennedy*

**CURTIS, MALLET-PREVOST, COLT  
MOSLE LLP**

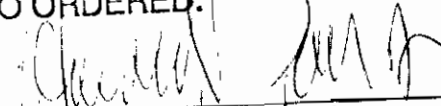
By:   
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*Attorneys for Plaintiff*

**McLAUGHLIN & STERN, LLP**

By:   
*Attorneys for Defendant BNA*  
Paul H. Silverman (PS 0583)  
Deanna R. Waldron (DW 2611)

SO ORDERED:

  
Harold Baer, Jr., U.S.D.J.

<sup>4</sup> Date: 6/12/08

260 Madison Avenue  
New York, NY 10016  
(212) 448-1100

*New York, New York*  
*Dated: June , 2008*

**SO ORDERED**

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**Hon. Harold Baer, Jr., U.S.D.J.**